

1452

PTO/SB/21 (08-00)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

6

Applicati n Number

09/851,650

Filing Date

May 8, 2001

First Named Inventor

Philip J. BARR

Group Art Unit

1652

Examiner Name

To Be Assigned

Attorney Docket No.

300622001610

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## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declarations

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement;  
PTO form 1449; and 2 references.

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/  
Incomplete Application

☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to  
Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify  
below): Return postcard

Remarks

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## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm  
or

Individual Name

Brenda J. Wallach  
Registration No. 45,193

Signature

*Brenda J. Wallach*

Date

July 8, 2002

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on July 8, 2002.

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Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

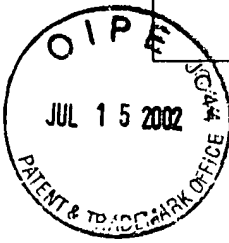
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PATENT  
Docket No. 300622001610

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*Garee A. Haney*  
Garee A. Haney



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In the application of:

Philip J. BARR et al.

Serial No.: 09/851,650

Filing Date: May 8, 2001

For: PRODUCTION OF POLYKETIDES IN  
BACTERIA AND YEAST

Examiner: To Be Assigned **TECH CENTER 1600/2900**  
Group Art Unit: 1652

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INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of documents Nos. 8 and 10 are submitted herewith. Copies of all other documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Numbers 09/422,073, filed October 21, 1999; and 08/989,332, filed December 11, 1997, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This application is a Divisional of United States Patent Application Serial Number 09/422,073, filed October 21, 1999, now United States Patent Number 6,258,566, which is a Continuation of United States Patent Application Serial Number 08/989,332, filed December 11, 1997, now United States Patent Number 6,033,883, which claims the benefit of the filing date of United States Provisional Application Serial Number 60/033,193, filed December 18, 1996.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 300622001610. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 8, 2002

Respectfully submitted,

By: Brenda J. Wallach  
Brenda J. Wallach  
Registration No. 45,193

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